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ISSUE PAPER  
Submitted to DOT Document Management System  
Docket No. 13923  
Re: 135/125 ARC

### **Issue: Bring Large Aircraft On-Demand All-Cargo Operators into Part 135**

Although Part 125 allows commercial operators to operate large aircraft in on-demand all-cargo service, the public would be better served by increasing or entirely eliminating 7,500 lb. payload limit for Part 135. This would allow non-scheduled operators to advertise their services, thus providing the public with the increased availability of cargo lift, especially during times of aircraft shortage such as the holiday season and wartime.

The public is NOT served by the limitation imposed on Part 125 operators of no "common carriage" cargo. With respect to cargo, there is no safety issue regarding single consignee vs. common carriage. Cargo is cargo. If there are no passengers carried on board, there is no added public risk.

With regard to aircraft payload or aircraft size. Again, cargo is cargo. All-cargo aircraft do not carry passengers, so there is no relationship between the size of the aircraft and public safety. If there is a relationship, it is a reverse one—generally, larger aircraft provide better performance, system redundancy and greater safety. An example of this is the venerable old DC-3. Part 135 was changed in the 1970s in part to accommodate the DC-3 aircraft. The aircraft is still in service today because it is the largest aircraft which can be operated under Part 135. I believe the public would be better served by allowing these operators to upgrade to larger more modern aircraft which are certificated in the transport category.

Under this scenario, many of the existing Part 125 operators would be brought into Part 135. This would promote safety as Part 135 is more restrictive. Pilots would be trained under an approved training program. Pilot flight time would be restricted, duty time reduced. The costs of operation would be increased for some operators, but the benefits of being able to advertise and carry common carriage cargo would offset the increased expense. All of this is clearly in the public interest. The argument that these aircraft could be operated under Part 121 fails because Part 121 is designed for large fleets and scheduled carriers and therefore is not a feasible alternative for most on-demand cargo operators. Let's look at the titles:

**PART 121--OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS**

**PART 135--OPERATING REQUIREMENTS: COMMUTER AND ON-DEMAND OPERATIONS...**

Clearly, Part 135 is more appropriate for the type operation conducted by most on-demand all-cargo operators. Part 125 could remain as it is to accommodate those operators not desiring an upgrade to Part 135.

Respectfully Submitted,

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